

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Carol H. Coleman, as Personal
Representative of the Estate of Harvey
David Coleman,

Plaintiff,

vs.

Best Buy Stores, LP,

Defendant.

Docket No.: 3:17-cv-3363-PJG

**ORDER FOR APPROVAL OF SURVIVAL
ACTION & WRONGFUL DEATH
SETTLEMENT**

This matter came before the Court upon the verified Petition of Carol H. Coleman, individually and as Personal Representative of the Estate of Harvey David Coleman, seeking approval of proposed settlement of claims against Best Buy Stores, LP, for any and all claims under the South Carolina Survival State and Wrongful Death Act and for all other potential claims or causes of action. All interested parties have been accorded proper notice of the hearing and the issues. After carefully reviewing the Petition for Settlement, all documents referenced therein, and other evidence presented, the Court finds as set forth below.

FINDINGS

1. Carol H. Coleman is the duly appointed Personal Representative of the Estate of Harvey David Coleman, who died on October 23, 2016, and has the authority to commence or settle legal claims on behalf of the Estate of Harvey David Coleman and his statutory beneficiaries.

2. That Carol H. Coleman, individually and as Personal Representative of the Estate of Harvey David Coleman, has claims and rights of action against the above-named Defendant for the incident that occurred on August 5, 2016, in the County of Richland, South Carolina.

3. Petitioner has negotiated a settlement of the claims against Defendant, and in consideration of the "Release of All Claims" set forth in Exhibit A, Defendant has agreed to pay a

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settlement in the amount of One-hundred and Sixty-Thousand (\$160,000) Dollars to settle Petitioner's claims against Defendant, of which Petitioner seeks to apportion fifteen-thousand (\$15,000.00) dollars of the settlement proceeds to the Survival action and one-hundred and forty-five thousand (\$145,000.00) dollars of the settlement proceeds to the Wrongful Death action.

4. Defendant has offered a settlement in the amount of One-hundred and Sixty-Thousand (\$160,000) Dollars in full and final compromise and settlement for Petitioner's claims against Defendant in exchange for a Release of all claims against Defendant and its agents, servants, employees, heirs, successors, and assigns.

On consideration of the foregoing Petition of Carol H. Coleman, praying that she be authorized and directed to accept the settlement offer of Defendant as set forth in the foregoing Petition and in the Release of All Claims attached as Exhibit "A" and that she be authorized to make the disbursements as set forth in the Payment and Disbursement Schedule attached as Exhibit "B" in the cause of action referred to above,

IT IS ORDERED, ADJUDGED AND DECREED that Carol H. Coleman be and hereby is authorized to accept the settlement amount as set forth in Exhibit "B", and to execute the appropriate Settlement Documents and Release of All Claims in the cause of action referenced hereinabove.

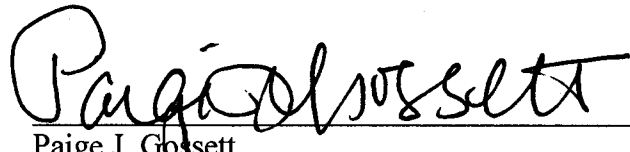
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the proposed settlement between Petitioner and Defendant described herein and further described in the Petition is hereby approved by the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that of the aggregate total settlement amount of one-hundred and sixty-thousand (\$160,000.00) dollars to settle Petitioner's claims against Defendant, fifteen-thousand (\$15,000.00) dollars of the settlement proceeds are hereby apportioned and allocated to the Survival action and one-hundred and forty-

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five thousand (\$145,000.00) dollars of the settlement proceeds are hereby apportioned and allocated to the Wrongful Death action.

AND IT IS SO ORDERED.


Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

Dated: March 20, 2019
Columbia, South Carolina